IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24043 of 2004

Between:

P. Subba Reddy, S/o. Pakanati Veera Reddy,
R/o. 113, Tyallur, Phirangipuram Mandal, Guntur District.

..... PETITIONER

AND

1 The Joint Collector, Guntur, Guntur District.
2 The Revenue Divisional Officer, Guntur, Guntur District.
3 The Mandal Revenue Officer, Phirangipuram Mandal, Guntur District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction more particularly one nature of writ of mandamus declaring the action of the respondent in rejecting the stay petition of the petitioner vide order dt. 2-12-2004 and in not disposing of the appeal pending before in Appeal Case No. 61/2004-S7 which was filed against the order of suspension passed by the 2nd respondent in Rc.No. 5892/2004-G, dt. 28-10-2004 illegal, arbitrary, improper and against the principles of natural justice.

Counsel for the Petitioner: MR.K.SRINIVAS

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER:

The authorisation of the petitioner was suspended by the second respondent through order dated 28-10-2004 on certain allegations. The petitioner preferred an appeal before the first respondent. He also filed an application for stay. The first respondent refused to grant stay through order dated 02-12-2004. Hence, this writ petition.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The suspension, against the petitioner is, pending enquiry. The second respondent also issued a show cause notice signed on 09-12-2004 to the petitioner. The first respondent has refused to grant stay, pending appeal. This Court is not inclined to interfere with the same, having regard to the nature of the allegations against the petitioner. The question as to how far the suspension of the dealership is justified can be examined by the first respondent while disposing of the appeal itself.

Hence, the writ petition is disposed of directing the first respondent to pass appropriate orders in the appeal within a period of four weeks from today. No order as to costs.

27-12-2004

kdl

To

1 The Joint Collector, Guntur, Guntur District.
2 The Revenue Divisional Officer, Guntur, Guntur District.
3 The Mandal Revenue Officer, Phirangipuram Mandal, Guntur District.

4 Two C.Cs. to the Government Pleader for Civil Supplies, High Court Buildings, A.P., Hyderabad, (OUT).

5 Two C.D. Copies.